

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62567 of 2021

Arising Out of PS. Case No.-700 Year-2020 Thana- SIKARPUR District- West Champaran

RAJNISH SAH S/o Madan Sah R/o village- Anjua, P.S.- Shikarpur, District-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Adv.

For the Opposite Party/s : Mr.Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-04-2022 Heard.

The petitioner seeks regular bail in connection with Shikarpur P.S. Case No. 700 of 2020, registered for the offence punishable under sections 414 of the Indian Penal Code.

The allegation is regarding the police having intercepted the accused person namely Ajit Kumar, who was traveling on a motorcycle, and upon being asked for the registration papers of the motorcycle in question, he could not produce the same. Consequently, it was found that the motorcycle in question was stolen one. The apprehended co-accused person namely Ajit Kumar



is stated to have disclosed the name of the petitioner to be one of his accomplice.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 04.06.2021. The learned counsel for the petitioner has further submitted that the said co-accused person namely Ajit Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dated 25.01.2022 passed in Cr. Misc. No. 39752 of 2021. It is further submitted that only on account of the bad antecedent of the petitioner, the petitioner has been falsely roped in the present case, although he has got no connection with the alleged incident.

Per contra, Shri Ashok Kumar, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the parties and taking into account the materials available on record as also



considering the parity of the case of the petitioner with that of the co-accused person who has already been granted bail by a co-ordinate Bench of this Court apart from the fact that neither the stolen motorcycle was recovered from the petitioner nor the petitioner has been arrested from the spot, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Chief Judicial Magistrate, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 700 of 2020.

(Mohit Kumar Shah, J)

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